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HOME (SPECIAL SECTION) DEPARTMENT

NOTIFICATION

The 13th September 2010

S. R. O. No. 415/2010—Whereas the State Government have received information regarding the death of Shri Bishnu Charan Dash, S/o Shri Jagabandhu Dash of village Bairoi, P.S. Olatpur in the district of Cuttack in police firing subsequent to Rasta Roko Agitation by local people of Bagalpur Gram Panchayat on the 23rd August 2010 ;

And whereas, the State Government are deeply concerned about the incident and are of the opinion that this being a definite matter of public importance should be enquired into by a Commission of Inquiry under the Commissions of Inquiry Act, 1952 (Act 60 of 1952).

Now, therefore, in exercise of the powers conferred by Section 3, read with sub-section (1) of Section 5 of the Commissions of Inquiry Act, 1952 (Act 60 of 1952), the State Government do hereby appoint a Commission of Inquiry consisting of Shri Justice S.K. Mohanty (Retd.), who is now conducting the inquiry into the Balangir incident of 2009, to enquire into and report in respect of the following matters within three months from the date of this Notification, namely :—

(i) The sequence of events and circumstances leading to the police firing at Bagalpur in Cuttack District on th 23rd August 2010.

(ii) Whether the actions taken by the authorities were justified and valid in law and whether the extent of use of force, including police firing, was justified under the circumstances.

(iii) The role, if any, played by any organization or individual in initiating, precipitating and escalating the circumstances leading to police firing.

(iv) Payment of just and equitable compensation to the Next of Kin of late Shri Bishnu Charan Dash and other related matters.

(v) Any other matter connected with or incidental thereto, as the Commission may consider appropriate, including suggestions relating to above matter.

Further the State Government do hereby direct that the provisions of sub-sections (2), (3), (4) & (5) of Section 5 of the said Act shall also apply to the Commission, as the State Government are of the opinion that having regard to the nature of enquiry to be made and other circumstances of the incident, the provisions should be made applicable to the Commission.

The Commission of Inquiry may also perform such other functions as are necessary or incidental to the inquiry.

The office of the Commission will be located at Special Circuit House, Nuapatna, Cuttack.

[No. 2897—C.]

By order of the Governor

U. N. BEHERA

Principal Secretary to Government